



ATTORNEY DOCKET NO. 206,228

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ulyett Examiner: Bruce Allen Lev
Application Number: 10/653,805 Group Art Unit: 3634
Filing Date: September 2, 2003
Title: RETRACTABLE COVER WITH BIASING
MECHANISM FOR COVERING STRUCTURES

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. SECTION 1.10

This correspondence is being deposited with the United States Postal Service on April 20, 2006 in an envelope as "Express Mail Post Office to Addressee" Mail Label No. ER059675820US addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

TRANSMITTAL OF NOTICE OF APPEAL

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dated: April 20, 2006

SIRS:

An Office Action mailed October 20, 2005 is presently outstanding in the above-identified application. Although the Office Action Summary indicates that the Office Action is NON-FINAL, page 6 of the Office Action indicates that the action is FINAL.

In a telephone conference with Examiner Blair M. Johnson on April 20, 2006, the undersigned attorney was informed that the Office Action is **NON-FINAL**.

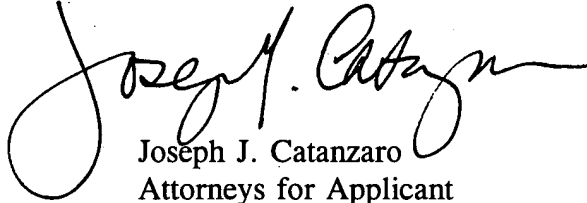
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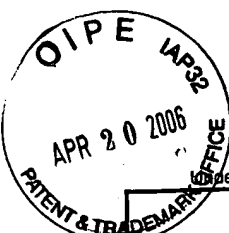
The claims have been twice rejected. Accordingly, there is being submitted herewith a Notice of Appeal together with a check in the amount of \$250 to cover the requisite fee. Please charge any additional fees and credit any overpayment to Deposit Account Number 01-0035.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph J. Catanzaro". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Joseph J. Catanzaro
Attorneys for Applicant
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PTO/SB/31 (04-05)

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NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

206,228

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on APR 11 20, 2006 EXPRESS MAIL LABEL NO. ER059675B20US

Signature Joseph J. Catanzaro
Typed or printed name JOSEPH J. CATANZARO

In re Application of

Ulyett

Application Number

10/653,805

Filed

September 2, 2003

For

RETRACTABLE COVER WITH BIASING
MECHANISM FOR COVERING STRUCTURES

Art Unit

3634

Examiner

Bruce Allen Lev

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

250.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 01-0033. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)

☒ attorney or agent of record. 25,837
Registration number

Joseph J. Catanzaro
Signature
Joseph J. Catanzaro
Typed or printed name

(212) 949-9022

Telephone number

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34.

April 20, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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